IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3739 OF 2006.
AND
CRIMINAL APPLICATIONM NO. 3781 OF 2006

CRIMINAL APPLICATION NO. 3739 OF 2006

Shankar Shrirang Malge ..Applicant
V/s
State of Maharashtra .. Respondent.

Miss Smita Sharma h/f S.V. Marwadi for the applicant
Mr.R.Y. Mirza for the State

CRIMINAL APPLICATION NO. 3781 OF 2006

Arun Parshuram Patil ..Applicant
V/s
State of Maharashtra .. Respondent

Mr. Ujwal Agandsurve for the applicant
Mrs. M.M. Deshmukh, APP for the State.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 17TH OCTOBER, 2006.

P.C.

. Both applicants are arrested in connection with C.R. No. 63/2006 registered at Mangalwedha Police Station District Solapur. The offences alleged are under section 302, 147 to 149, 323, 341, 504 r/w section 34 of Indian Penal Code.

2. The applicants are arrested along with others. They have been arrested on 20th May, 2006. Their application for bail was rejected by the trial Court. One of the co-accused had applied for bail and his application has been decided by me on 3rd October, 2006 being Criminal Application No.3377 of 2006.

3. The contention of Ms.Shrma and Mr. Angadsurve is that the case of the present applicants is on par with co-accused Chandrakant who has been enlarged on bail by this Court. Even as far as these applicants are concerned, there are no recoveries and main role is attributed to Laxman Omu Pujari. In such circumstances, and when this aspects are not disputed, for identical reasons as assigned in Criminal Application No. 3377/2006, both applications deserve to be allowed. Hence, the following order:

i) The applicants arrested in connection with C.R.No. 63 of 2006, registered with Mangalwedha Police Station, District Solapur shall be enlarged on bail subject to furnishing a personal bond of Rs. 5000/- each with one or two local sureties in the like amount.

ii) The applicants shall not enter the limits of Miri, Taluka Mohol, Dist Solapur till conclusion of the trial.

iii) The applicants shall forthwith furnish their new residential addresses to the investigating authority where they propose to reside after bail and during pendency of trial, and shall not change their residence without prior intimation to the investigating authority.

iv) The applicants shall report to the nearest police station of their new residence where proposes to reside after bail, once a week till conclusion of the trial.

v) The bail is granted subject to condition that the applicants shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

vi) The applicants shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicants to delay the trial may be a

ground for cancellation of bail.

vii) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

viii) Application is disposed of in above terms.

ix) Parties to act on an authenticated copy of this order.

(S.C. DHARMADHIKARI, J.)